



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,498	02/19/2004	Brian Farn	CA920030061US1	5645
7590 02/28/2007 Diana L. Roberts International Business Machines Intellectual Property Law 11400 Burnet Road Austin, TX 78758			EXAMINER SHRESTHA, KIRAN K	
			ART UNIT 2109	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/28/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/782,498

Applicant(s)

FARN, BRIAN

Examiner

Kiran K. Shrestha

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 02/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the original filing of October 17, 2003. Claims 1, 8, 15, and 22 are independent claims. Claims 1-28 are pending and have been considered below.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 02/19/2004 was filed after the mailing date of the application on 10/17/2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

3. The disclosure is objected to because of the following informalities: the examiner notes the use of acronyms (e.g. CD, RAM, ROM, etc.) throughout the specification without first including a description in plain text, as required. Appropriate correction is required.

Claim Rejections - 35 USC § 101

4. Claim 22 is drawn to a computer readable modulated carrier signal, which the applicant has defined in the specification to encompass an electronic transmission signal. The Office considers an electronic signal to be a form of energy. Energy is not a series of steps or acts and this is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefore not a compilation of matter. Thus, an electronic transmission signal does not fall within any of the four categories of invention. Therefore, Claim 22 is not statutory.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Reulein et al. (US2003/0142128A1).

Claims 1, 8, 15 and 22: Reulein discloses method, system, product, and signal for a program statement editor, a method for editing column oriented programming language statements presented to a user on a display screen, comprising:

providing a template description defining one or more statement types (Paragraph [0006], lines 1-3); and,

providing a graphical user interface ("GUI") for editing said statements individually (Fig. 5; Paragraph [0007], lines 1-7),

GUI having one or more editable fields corresponding to a statement type of an individual statement defined by said template description (Paragraph [0057], line 3-11),

GUI adapted to receive content for one or more of said editable fields from said user to define said individual statement (Paragraph [0057], lines 3-16).

Claims 2, 9, 16 and 23: Reulein discloses method, system, product, and signal of claims 1, 8, 15, & 22 respectively and further comprising permitting said individual statement to be selected by said user for replacement from among said statements (Paragraph [0042], lines 6-12).

Art Unit: 2109

Claims 3, 10, 17 and 24: Reulein discloses method, system, product, and signal of claims 2, 9, 16, & 23 respectively and further comprising permitting a position in said statements to be selected by said user for insertion of said individual statement (Paragraph [0042], lines 6-14).

Claims 4, 11, 18 and 25: Reulein discloses method, system, product, and signal of claims 3, 10, 17, & 24 respectively and further comprising displaying a field difference indicator on said GUI for each of said editable fields whose contents has been changed by said user (Paragraph [0032], lines 5-8).

Claims 5, 12, 19 and 26: Reulein discloses method, system, product, and signal of claims 4, 11, 18 & 25 respectively and further comprising one of selectively replacing and inserting said individual statement in said statements (Paragraph [0033], lines 1-9).

Claims 6, 13, 20 and 27: Reulein discloses method, system, product, and signal of claims 5, 12, 19 & 26 respectively and further comprising displaying a user selectable apply button on said GUI for initiating said replacing and inserting (Paragraph [0075], lines 9-16).

Claims 7, 14, 21 and 28: Reulein discloses method, system, product, and signal of claims 1, 8, 15, & 22 respectively wherein said template description is an extensible mark-up language ("XML") document (Paragraph [0024], lines 9-16).

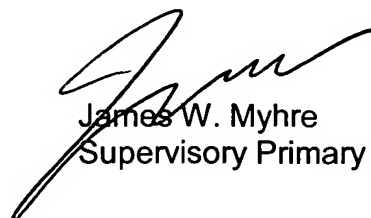
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Kiran K. Shrestha whose telephone number is (571) 270-1691. The examiner can normally be reached Monday through Thursday from 7:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James W. Myhre, can be reached on (571) 270-1065. The fax phone number for Formal or Official faxes to Technology Center 2100 is (571) 273-3800. Draft or Informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.

KKS
February 26, 2007


James W. Myhre
Supervisory Primary Examiner